

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the previous amendments and the following remarks.

At the outset, it is respectfully requested that the provisional double patenting rejection be held in abeyance until either this application or the copending application at issue is otherwise in condition for allowance.

The claims are amended to address the issues raised in sections 3 through 9 of the Official Action. Withdrawal of the rejections under 35 U.S.C. § 112 is therefore respectfully requested.

Before discussing the remaining issues raised in the most recent Official Action, the following general overview is provided of features and operational characteristics associated with a method of making a guide wire according to at least one embodiment described and illustrated in the present application.

In the guide wire 1 illustrated in Fig. 1, a first wire 2 and a second wire 3 are joined to each other at a welded portion 14. The second wire 3 has, in the vicinity of the welded portion 14, a small cross-sectional area 32 with its cross-sectional area being smaller than that of a proximal end portion 23 of the first wire 2.

As discussed in paragraph [0083] of the application, in the small cross-sectional area portion 32, the flexural rigidity of the distal end of the second wire 3 is nearly equal to the flexural rigidity of the proximal end of the first wire 2. With this configuration, the change in rigidity of the welded portion 14 and its neighborhood can be made more moderate (smooth) along the longitudinal direction.

Turning now to the art rejections, independent Claims 23 is rejected based on the disclosures in over U.S. Patent No. 6,918,882, hereinafter Skujins, and U.S. Patent No. 5,372,144, hereinafter Mortier.

Claim 23 is amended to recite that the first end portion of the second wire, which possesses a cross-sectional area smaller than the cross-sectional area of the first end portion of the first wire, possesses a flexural rigidity nearly equal to a flexural rigidity of the first end portion of the first wire. With respect to similar subject matter previously presented in Claim 32, the Examiner asserts that "a flexural rigidity of the distal end of the second wire is nearly equal to that of the proximal end of the first wire (Skujins et al. at 16)". However, Skujins does not disclose that the flexural rigidity of the distal end of the second wire is nearly equal to that of the proximal end of the first wire. Moreover, Mortier does not cure this deficiency in Skujins.

Indeed, it is apparent from lines 35 to 52 of column 2 of Skujins that what Skujins actually discloses is that the proximal guide wire section 14 is formed of relatively stiff material while the distal guidewire section 16 is formed of relatively flexible material. Moreover, the discussion in the paragraph bridging columns 2 and 3 of the overlapping joint 12 blending the stiffness of the proximal section 14 and the distal section 16 does not correspond to the flexural rigidity of the distal end of the second wire being nearly equal to that of the proximal end of the first wire. Should the Examiner continue to believe that Skujins discloses this feature, it is respectfully requested that the Examiner provide a pinpoint citation and a detailed explanation.

Amended Claim 23 is therefore allowable over the disclosures in Skujins and Mortier. Withdrawal of the rejection of Claim 23 is therefore respectfully requested.

Claim 35 is amended to recite subject matter previously presented in Claim 33. Claim 33 was rejected based on the disclosures in Skujins, Mortier, and U.S. Patent No. 6,001,068, hereinafter Uchino.

With respect to Claim 33, the Examiner asserts that "it would have been obvious... to have spot welded the connector of Skujins et al. modified by Mortier et al. in the manner taught by Uchino to obtain the first, second and third portions as set forth in claims 33 and 34 in order to achieve the predictable result of adhering a connector to two wires". This assertion is apparently based on the premise that Uchino's weld 69 is gradually reduced in the direction toward the distal end of second wire.

However, since the weld 69 on the second wire 62 is formed by spot welding, the weld 69 is reduced, not gradually, but drastically. This is because the weld 69 is formed to firmly fix the second wire 62 with the connector 63. If the shape of weld 69 were instead gradually reduced, the connector 63 could not be firmly fixed with the second wire 62. Indeed, the weld 69, and the modified device, would be rendered inoperative for its intended purpose without a firm connection, i.e., if the weld 69 were instead reduced gradually.

Amended Claim 35 is therefore allowable over the disclosures in Skujins, Mortier, and Uchino. Withdrawal of the rejection of Claim 35 is therefore respectfully requested.

The dependent claims are allowable at least by virtue of their dependence from allowable independent claims. Thus, a detailed discussion of the additional distinguishing features recited in the dependent claims is not set forth at this time.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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